

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, ) CASE NO. CR08-312-MJP  
Plaintiff, )  
v. )  
BENJAMIN SAMUEL EPSTEIN, )  
Defendant. )  
DETENTION ORDER

Offense charged: Credit Card Fraud; Aggravated Identity Theft

Date of Detention Hearing: September 29, 2008

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

## FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant is charged with and has pled guilty to Credit Card Fraud and one count of Aggravated Identity Theft. He does not contest detention.

(2) Defendant was not interviewed by Pretrial Services. There is limited information available about defendant's personal history, residence, family ties, ties to this District, income, financial assets or liabilities, physical/mental health or controlled substance use, if any. Defendant has a lengthy criminal history including numerous failures to appear and bench warrant activity. There are charges pending in Kitsap County Superior Court.

(3) The defendant is associated with eight alias names, two dates of birth and two social security numbers.

(4) The defendant poses a risk of nonappearance based on a history of failing to appear, association with alias identifiers, pending charges in Kitsap County and lack of verified background information. He poses a risk of danger due to past criminal history.

(5) There does not appear to be any condition or combination of conditions that will reasonably assure the defendant's appearance at future Court hearings while addressing the danger to other persons or the community.

It is therefore ORDERED:

(1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

(2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;

(3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is

01 confined shall deliver the defendant to a United States Marshal for the purpose of  
02 an appearance in connection with a court proceeding; and

03 (4) The clerk shall direct copies of this Order to counsel for the United States, to  
04 counsel for the defendant, to the United States Marshal, and to the United States  
05 Pretrial Services Officer.

06 DATED this 29th day of September, 2008.

07   
08 Mary Alice Theiler  
09 United States Magistrate Judge